


After de novo review of the matter, including careful review of all briefs filed by the parties, the Court concurs with the recommendation of the Magistrate Judge for the reasons set forth in the thorough and well-reasoned Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 32]

IT IS FURTHER ORDERED that the decision of the Commissioner denying plaintiff's application for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401, et seq., is **AFFIRMED**.

An appropriate judgment will accompany this order.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 12th day of January, 2009.